



5-163

3629

Ser. No.: 09/484,721  
Page 1 of 3

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

#10  
n26

**Inventor** : **KOZO YOKOYAMA**  
**Title** : **Method and System of Controlling Replacement...**  
**Serial No.** : **09/484,721** ✓  
**Confirmation No.** : **1024**  
**Filed** : **01/18/2000**  
**Examiner** : **John WEISS**  
**Group Art Unit** : **3629**

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 pursuant to 37 CFR 1.10 on the date shown below as  
Express Mail Receipt # EV 332278045 U.S.  
Name: G. Valerius Ward Armstrong  
Signature: \_\_\_\_\_  
Date: May 15, 2003

May 15, 2003

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**MAY 20 2003**

**GROUP 3600**

**PETITION UNDER 37 CFR 1.181(A)**  
**REQUESTING**  
**WITHDRAWAL OF HOLDING OF ABANDONMENT**

To the Commissioner for Patents:

Applicant received a Notice of Abandonment dated May 6, 2003 for the above-referenced patent application. The Notice indicated that the above-referenced patent application was abandoned because, "The applicant failed to respond to the office action of October 2, 2002." However, an Amendment was filed on March 31, 2003 with a petition for a three-month extension of time as a timely response to the Office Action.

Enclosed herewith is a copy of the Amendment originally filed by the Applicant on March 31, 2003 with a certificate of Express Mailing thereon and a copy of the return postcard

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received from the USPTO evidencing receipt of the Amendment and Petition for Extension of Time with a filing date of March 31, 2003 stamped thereon.

Applicant's response to the Office Action was filed on March 31, 2003 with an Express Mail certificate thereon, pursuant to the rules set forth in 37 C.F.R. § 1.10 Applicant is enclosing herewith a print-out of the tracking information for the Express Mail Receipt No.

EV133799630US, which indicates clearly that the deposit with the United States Postal Service was made on March 31, 2003 and was received by the Patent Office on April 1, 2003.

In view of the foregoing, it is respectfully requested that the current application be reinstated and Applicant's response to the Office Action originally filed on March 31, 2003 entered.

Please note that although on November 20, 2002, Applicant filed a request for reissuance of the Office Action dated October 2, 2002<sup>1</sup>, as discussed above, Applicant timely filed a response to the Office Action with a Petition for Extension of Time of three months.

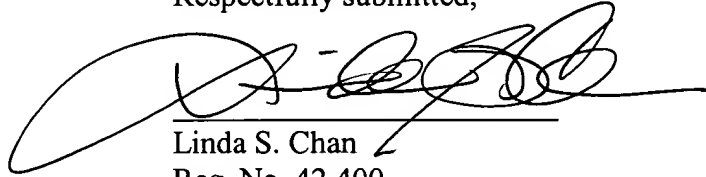
As the abandonment of the current application appears to be the result of an Office error, it is believed that no fee is due with this paper. However, if any fee is due with this petition, it may be charged on Deposit Account No. 50-1290.

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<sup>1</sup> The Notice of Abandonment noted that "The office action was mailed to the correct address at the time of the mailing. The request to have the office action remailed and the date for response reset on November 20, 2002 will be considered as a petition that will be forwarded and reviewed by the Special Program Examiners."

Please direct any inquiries regarding this petition to the Applicant's undersigned attorney,  
who may be reached directly by telephone at (212)940-8712.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Linda S. Chan', written over a horizontal line.

Linda S. Chan  
Reg. No. 42,400

Attorney Docket No.: **FUJH 16.825 (100794-09770)**

Katten Muchin Zavis Rosenman  
575 Madison Avenue  
New York, NY 10022-2585  
Phone: (212)940-8800



Attorney Docket No.: FUJH 16.825 (100794-09770)

*Copy*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: KOZO YOKOYAMA

Serial No.: 09/484,721

Filed: January 18, 2000

Title: METHOD AND SYSTEM OF CONTROLLING REPLACEMENT...

Examiner: BRYON P. GEHMAN

Group Art Unit: 3629

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March 31, 2003

**GROUP**

Assistant Commissioner for Patents  
Washington, D. C. 20231

AMENDMENT

SIR:

Applicant hereby petitions for a three-month extension of time, a petition pursuant to 37 C.F.R. 1.136(a) and a requisite fee being enclosed.

In response to the Office Action dated October 2, 2002, please amend the subject application as follows:

Any fee due with this paper may be  
charged to Deposit Account No. 50-1290.

Filed by Express Mail

Receipt No. EV13379963045

on 5-31-2003

pursuant to 37 C.F.R. 1.10

By James Doyle

IN THE CLAIMS:

Please amend the claims as follows:

1.(currently amended):        A method for controlling replacement of plural terminal equipment in a building management system, connected to plural points to be managed in a building, comprising the steps of:

   tabulating a connecting status showing which existing terminal equipment or new terminal equipment is used in each point to be managed and correspondence between hard addresses of the existing terminal equipment and new terminal equipment, and

   switching hard addresses corresponding to the points to be managed ~~from~~ according to the tabled connecting status of the existing terminal equipment or new terminal equipment and the correspondence between the hard addresses of the existing terminal equipment and the new terminal equipment.

2.(canceled):

3.(original):    The method according to claim 1,

   wherein the connecting status of the terminal equipment is expressed by a flag to be set when the connecting status is tabulated.

4.(canceled):

5.(currently amended):        The method according to claim 3,

wherein in the step of switching the hard addresses ~~when~~ corresponding to the point to be managed, the existing terminal equipment is switched to the new terminal equipment according to a judgement judgment of the connecting status of the terminal equipment ~~when switching the hard address corresponding to the point to be managed~~, and a TEST mode is set in which only the point to be managed is only can be monitored and controlled, ~~of which mode is changed to a TEST mode where the point can not be monitored and controlled by application processes~~ and after the TEST mode elapses, a NORMAL mode is set in which the new terminal equipment can be operable.

6.(original): The method according to claim 5,

wherein the TEST mode is transited to a normal operation mode by a manual operation.

7.(currently amended): A system for controlling a replacement of terminal equipment connected to plural points to be managed in a building, comprising:

a center device having a table for a connecting status showing which existing terminal equipment or new terminal equipment is used in each point to be managed and correspondence between hard addresses of the existing terminal equipment and the new terminal equipment, which are corresponding to the points to be managed, and

existing terminal equipment or a new terminal equipment, which is connected to the center device,

wherein the hard address corresponding to the point to be managed is switched according to the connecting status of the existing terminal equipment or new terminal equipment

wherein the TEST mode to a normal operation mode is executed by a manual operation.

## REMARKS

Claims 1-12 are pending in the application.

Claims 2, 4, 8, and 10 have been canceled herein.

Independent claims 1 and 7 are amended herein to more clearly define the subject matter thereof.

Claims 5-6 and 11-12 are found to be allowable if rewritten in independent form and to overcome any rejections under 35 U.S.C. § 112, second paragraph.

Claims 2, 4-6, 8 and 10-12 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

Claims 5 and 11 have been amended to clarify the claimed invention. Claims 2, 4 and 10 are cancelled. It is respectfully submitted that the rejection under 35 U.S.C. § 112, second paragraph should be withdrawn.

Claims 1-4 and 7-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Barrett in view of Kojima et al. (Kojima).

It is respectfully submitted that neither Barrett nor Kojima disclose a table of a connecting status showing which existing terminal equipment or new terminal equipment is used in each point to be managed and correspondence between hard addresses of the existing terminal equipment and new terminal equipment.

Kojima describes a management table which is referring to program addresses and not addresses of equipment. The management table of Kojima stores management information



about the state of control program execution as well as the addresses of the areas holding the control information i.e. addresses of program storage areas. (col. 1, lines 20-35).

Applicant's claims 1 and 7 recite the table for a connecting status showing which existing terminal equipment or new terminal equipment is used in each point to be managed and correspondence between hard addresses of the existing terminal equipment and the new terminal equipment, which are corresponding to the points to be managed.

It is respectfully submitted the features of applicant's table are not described in the cited references either singly or in combination.

Further applicant's claims 1 and 7 recite: hard address corresponding to the point to be managed is switched according to the connecting status of the existing terminal equipment or new terminal equipment and the correspondence between hard addresses of the existing terminal equipment and the new terminal equipment obtained according to the table of the center device, and a connection from the existing terminal equipment or the new terminal equipment to the center device is controlled.

Kojima describes that depending on the execution state of the program, the load execution unit loads the new control information into the area specified by the addresses held in the program ID management table 3a (col. 4, lines 30-40). Kojima does not describe the switching between hard addresses of the existing terminal equipment and the new terminal equipment according to the connection status.

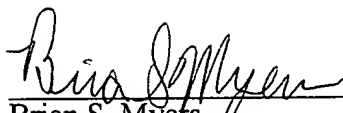
Further Kojima describes the execution state of the program and does not suggest a connection status of terminal equipment.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider

this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

  
\_\_\_\_\_  
Brian S. Myers  
Reg. No. 46,947

**CUSTOMER NUMBER 026304**

Katten Muchin Zavis Rosenman  
575 Madison Avenue  
New York, NY 10022-2585  
(212) 940-8703  
Docket No.: FUJH 16.825 (100794-09770)  
BSM:fd



Attorney Docket No.: FUJH 16.825 (100794-09770)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: KOZO YOKOYAMA

Serial No.: 09/484,721

Filed: January 18, 2000

Title: METHOD AND SYSTEM OF CONTROLLING REPLACEMENT...

Examiner: BRYON P. GEHMAN

Group Art Unit: 3629

March 31, 2003

Assistant Commissioner of Patents  
Washington, DC 20231

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MAY 20 2003  
**GROUP 3600**

PETITION FOR EXTENSION OF TIME

Sir:

Applicant requests that the time for taking action in this case be extended pursuant to 37 CFR 1.136(a) for:

- ☐ one month      ☒ three months  
☐ two months      ☐ four months

The fee set in 37 CFR 1.17 for the extension of time is \$930.00.

☐ Fee enclosed. Please charge any additional fee required for this extension of time to Deposit Account No. 50-1290. A duplicate copy of this paper is enclosed.

☒ Charge fee to Deposit Account No. 50-1290. A duplicate copy of this paper is enclosed.

☐ Applicant is a small entity entitled to pay reduced fees in this application.

EV133799630US

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charged to Deposit Account No. 50-1290.

Filed by Express Mail

Receipt No. EV133799630US

on 3-21-2003

pursuant to 37 C.F.R. 1.10.

By James Doyle

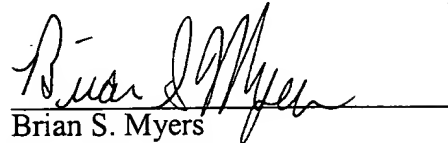
A verified small entity statement:

( ) has been filed ( ) is enclosed.

Also enclosed is a:

(x) Response ( ) Notice of Appeal ( ) Appeal Brief

Respectfully submitted,

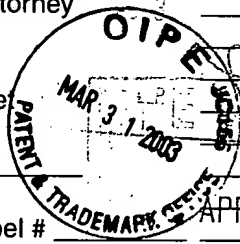
  
Brian S. Myers  
Reg. No. 46,947

**CUSTOMER NUMBER 026304**

Katten Muchin Zavis Rosenman  
575 Madison Avenue  
New York, NY 10022-2585  
(212) 940-8703  
Docket No.: FUJH 16.825 (100794-09770)  
BSM:fd



PATENTS	
TO: Assistant Commissioner for Patents	100744-09770
Serial/Patent No. <u>09/484,721</u>	Atty Docket No. <u>745H1685</u>
Filing date <u>1-18-2000</u>	Date Mailed <u>3-31-03</u>
Inventor(s): <u>Kozo Yokoyama</u>	Attorney <u>B.S. Myers</u>
Title: <u>Method and System of Controlling</u>	<u>EV133799630US</u>
The U.S. Patent & Trademark Office stamp herein acknowledges receipt of the following:	
<input type="checkbox"/> Application (Utility <u>    </u> or Design <u>    </u> )	<input type="checkbox"/> Total Pages
<input type="checkbox"/> Preliminary Amendment	<input type="checkbox"/> Sheets of Drawings (Figs. <u>    </u> )
<input type="checkbox"/> Declaration and Power of Attorney	<input type="checkbox"/> Fee Transmittal Sheet
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<input checked="" type="checkbox"/> Petition <u>3 months</u>	<input type="checkbox"/> Check(s) # <u>    </u> for \$ <u>    </u>
<input type="checkbox"/> Certificate of Mailing	<input type="checkbox"/> Letter to Official Draft Person
<input type="checkbox"/> Express Mail Certificate-Label # <u>    </u>	<input type="checkbox"/> Corrected Figures <u>    </u>
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GROUP 3600

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- ARRIVAL AT UNIT, April 01, 2003, 8:01 am, WASHINGTON, DC 20599
- ACCEPTANCE, March 31, 2003, 5:54 pm, NEW YORK, NY 10150

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